IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 9907 of 2005

Between:

J. Venkata Ramana, S/o. Damudu, R/o. Alamanda, Jami Mandal, vizianagaram District.

..... PETITIONER

AND

1 The District Collector (Panchayat Wing), Vizianagaram.
2 The District Panchayat Officer, Vizianagaram.
3 The Mandal Development Officer, Jami Mandal, Vizianagaram District.
4 The Village Officer, Alamanda Grama Panchayat, Jami Mandal, Vizianagaram District.
5 The Sarpanch, Alamadanda Grama Panchayat, Alamanda, Jami Mandal, Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in allotting the civil/works without following the procedure contemplated in G.O.Ms.No. 387 Panchayat Raj, Rural Development (PTS II) dt. 17.9.1998 under Grama Panchayat Act is illegal and bad, consequently direct the respondents to following the procedure while allotting civil works to its contractors and pass such other just orders.

Counsel for the Petitioner : MR.KURITIBHASKARA RAO

Counsel for the Respondents : MR.DANTU.SRINIVAS

The Court at the admission stage made the following :

ORDER : (Per Hon'ble Bilal Nazki, ACJ)

Following prayer has been made in the writ petition;

> *"This Hon'ble Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the respondents in allotting the civil works without following the procedure contemplated in G.O.Ms.No.387, Panchayat Raj, Rural Development (PTS II) dated 17.9.1998 under Grama Panchayat Act, is illegal and bad, consequently direct the respondents to follow the procedure while allotting civil works to its contractors and pass such other just orders."*

There are number of contractors to whom contracts have been allotted without following the due procedure, according to the petitioners. If the writ petition is allowed, that would affect the rights of those parties, who have been allotted the contracts. They have not even been made parties to this Writ Petition.

Writ petition is misconceived and it is accordingly dismissed. No order as to costs.

BILAL NAZKI, HACJ

29th April 2005.

Dr. G.YETHIRAJULU, J

ajr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector (Panchayat Wing), Vizianagaram District, Vizianagaram.
2 The District Panchayat Officer, Vizianagaram District, Vizianagaram.
3 The Mandal Development Officer, Jami Mandal, Vizianagaram District.
4 The Village Officer, Alamanda Grama Panchayat, Jami Mandal, Vizianagaram

District.
5 The Sarpanch, Alamadanda Grama Panchayat, Alamanda, Jami Mandal,

Vizianagaram District.

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